

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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BUYERS AND RENTERS UNITED TO SAVE HARLEM, :  
et al., : No. 1:07-cv-06316-CM  
Plaintiffs, :  
: v. :  
PINNACLE GROUP NY LLC, et al., :  
Defendants. :  
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**DECLARATION OF MITCHELL A. KARLAN**

Pursuant to 28 U.S.C. §1746, I, Mitchell A. Karlan, under penalty of perjury, declare as follows:

1. I am a member of the law firm of Gibson, Dunn & Crutcher LLP, counsel to Pinnacle Group NY LLC and Joel Wiener, Defendants in the above-captioned action. I am admitted to practice before the courts of the State of New York and the United States District Court for the Southern District of New York. I make this declaration in support of Defendants' Motion to Dismiss the Second Amended Complaint.

2. A true and correct copy of Plaintiffs' Second Amended Complaint, dated October 15, 2007, is attached hereto as Exhibit A.

3. A true and correct copy of Plaintiffs' RICO Statement, dated September 28, 2007, is attached hereto as Exhibit B.

4. A true and correct copy of Plaintiffs' Rule 7.1 Statement, dated July 9, 2007, is attached hereto as Exhibit C.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed at New York, New York, this fifteenth day of November, 2007.

BY: s/ Mitchell A. Karlan  
Mitchell A Karlan (MK-4413)

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